



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing – February 13, 2009
Environment Committee

Testimony Submitted by Commissioner Gina McCarthy
Department of Environmental Protection

**Proposed House Bill No. 5476 - AN ACT CONCERNING THE SPEED OF VESSELS IN
THE MYSTIC RIVER, WILLIAMS COVE, BEEBE COVE, WEST COVE AND
PALMER COVE**

Thank you for the opportunity to present testimony regarding Proposed House Bill No. 5476 - AN ACT CONCERNING THE SPEED OF VESSELS IN THE MYSTIC RIVER, WILLIAMS COVE, BEEBE COVE, WEST COVE AND PALMER COVE. The Department of Environmental Protection (DEP) is pleased to support the concept behind this bill, which endeavors to ensure the safety and the general welfare of all users of the Mystic River by imposing a broad speed zone. However, in researching the bill and the language (which is under Chapter 263) the DEP has found this to be an antiquated statute, which provides penalties under civil law, and that DEP is unable to readily enforce. At this juncture, it is questionable how the law is enforced or who can enforce it. DEP would like to work with the crafters of this bill to deliver a bill or propose a regulation which will achieve the required results.

In addition, DEP believes the southern terminus of the proposed zone and including West Cove and Palmer Cove are technically outside of the Mystic River and Mystic Harbor proper, thereby, exceeding the intent of Chapter 263. The DEP is prepared to work with the crafters of this bill to develop acceptable language that provides the requisite uniform speed zone for the Mystic River and Mystic Harbor. The DEP believes that this iteration will necessarily omit the requested speed zones for West Cove and Palmer Cove, however, speed zones in these areas may be implemented by local ordinance.

In the interest of safety on the Mystic River the Department of Environmental Protection supports the idea of a uniform speed zone for the Mystic River and Mystic Harbor, and is prepared to assist with crafting a bill or regulation that establishes such a speed zone consistent with the intent of Chapter 263 and in a manner that is enforceable.

We thank you for the opportunity to present the Department's views on Proposed House Bill 5476. If you require any additional information, please contact Robert LaFrance, DEP legislative Liaison at 424-3401.